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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 2/13/06

UNITED STATES OF AMERICA,) No. CR 06-00010-RMW
Plaintiff,)
v.)
)
SALVADOR MACIAS-VALENCIA and)
HECTOR JAVIER MACIAS-VALENCIA,)
Defendants.)

STIPULATION AND ORDER
RESCHEDULING STATUS HEARING
AND EXCLUDING TIME

IT IS HEREBY STIPULATED by the undersigned that the status hearing in this case, currently scheduled for February 13, 2006 at 9:00 a.m. be vacated and rescheduled for Monday, February 27, 2006 at 9:00 a.m. The parties further stipulate that the court may exclude the period of time from February 13, 2006 through and including February 27, 2006 from the computation of the period of time within which the trial must commence for the reasons set forth in the proposed order below.

It is so stipulated.

Dated: 02/10/06

/S/
JOHN N. GLANG
Assistant U.S. Attorney

1 Dated: 02/10/06

2 _____ /S/
3 ROMMEL BONDOC
Attorney for Salvador Macias-Valencia

4 Dated: 02/10/06

5 _____ /S/
6 ALFREDO M. MORALES
Attorney for Hector Javier Macias-Valencia

7 **ORDER**

8 Based upon the stipulation of the parties, it is hereby ordered that the status hearing in this
9 case, previously scheduled for February 13, 2006 at 9:00 a.m., be vacated and rescheduled for
10 Monday, February 27, 2006 at 9:00 a.m.

11 Pursuant to Title 18, United States Code, Section 3161(h), the court excludes the period of
12 time from February 13, 2006 through and including February 27, 2006 from the computation of
13 the period of time within which the trial must commence. The court FINDS that the ends of
14 justice served by the delay outweigh the best interest of the public and the defendants in a speedy
15 trial. The court bases this finding on the need to afford counsel for the defendants additional
16 time to review discovery provided by the government and to prepare transcripts of Spanish-
17 language audiotaped conversations involving the defendants and a government undercover
18 agent that are relevant to the prosecution and defense of this case and as time necessary for
19 effective preparation, within the meaning of 18 U.S.C. Section 3161(h)(8)(B)(iv).

20 It is so ordered:

21 Dated: 2/13/06

22 _____ /S/ RONALD M. WHYTE
RONALD M. WHYTE
United States District Judge